



COMMONS REGISTRATION ACT 1965

Reference No. 233/U/98

In the Matter of the area of land known as
Oaken Lawn, situate at Codsall in the
County of Stafford

DECISION

This reference relates to the question of the ownership of land known as Oaken Lawn, Codsall being the land comprised in the Land Section of Register Unit No. CL 54 in the Register of Common Land maintained by the Staffordshire County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference South Staffordshire District Council claimed to be the freehold owner of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Stafford on 15 October 1980.

Mr Jose (Deputy Clerk) appeared for the South Staffordshire District Council, Mr Cox (the Chairman) for the Codsall Parish Council and Mr Duckworth and Mr and Mrs Newman attended as members of Codsall Civic Society, Mr Duckworth being the Chairman of that body.

A registration in the Ownership Section of Messrs P W and R M Iliff, as owners of the ditch and bank adjacent to the boundaries of OS. 5212, 7000 and 8300 entered on 19 March 1969 had become undisputed on 1 August 1972 and I was therefore concerned with the remainder of the Register Unit.

No person claimed to have any documents of title to the Register Unit.

Mr Jose produced a copy of a Scheme made by the former Seisdon Rural District Council on 27 April 1961 which had been approved under the Commons Act 1899, for the regulation of the Register Unit. Since 1961 that Council and his Council as its successor had taken over completely the management of the Register Unit.

In the absence of any claim by a person with a good paper title, these acts are in my judgment sufficient to give the Council a possessory title.

None of the other persons present who were mainly concerned with the preservation of the amenities of Oaken Lawn opposed Mr Jose's application.

On this evidence I am satisfied that South Staffordshire District Council is the owner of the land, *plus also the said ditch and bank*



I shall accordingly direct the Staffordshire County Council, as registration authority, to register the District Council as the owner of the land under section 8(2) of the Act of 1965.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 5th day of November 1980

Geoff Herbert

Commons Commissioner